

AARON BREWER, Plaintiff in Pro Se  
c/o 12213 HEATHFIELD LN  
Oklahoma City, Oklahoma 73173

**FILED**

OCT 18 2018

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

CARMELITA REEDER SHINN, CLERK  
U.S. DIST. COURT, WESTERN DIST. OKLA.  
BY KMT, DEPUTY

AARON BREWER, a man,	)	CASE NO.	CIV-18-1029-G
	)		
<i>Plaintiff(s)</i>	)	VERIFIED COMPLAINT FOR	
	)	DAMAGES	
vs.	)		
	)		
NAVIENT CORPORATION,	)		
	)		
<i>Defendant</i>	)	JURY TRIAL DEMANDED	
_____	)		

**COMES NOW**, the Plaintiff AARON BREWER complaining of the defendant(s) and each of them as follows:

**INTRODUCTION**

1. This action is an action brought by the Plaintiff for violation of the Fair Credit Reporting Act, 15 USC §1681p *et, al* against the defendant(s) and each of them.

**I. THE PARTIES**

2. Plaintiff(s) "AARON BREWER" is now and at all times relevant to this action a natural person. Plaintiff(s) are "consumers" as that term is defined within 15 USC §1681.
3. Defendant "NAVIENT CORPORATION" ("Debt Collector") is a corporation formed under the laws of the State of DELAWARE. It has a principle place of business located at P.O. BOX 9635 WILKES-BARRE, PA. 18773-9635. Defendant "NAVIENT CORPORATION" are "debt collectors" as that term is defined by 15 USC §1681 seq.

**II. JURISDICTION AND VENUE**

4. The US District Court for the Western District of Oklahoma has jurisdiction pursuant to 15 USC §1681p *et al.*, and 28 USC §1331, and the court has jurisdiction over Plaintiffs tort state claims. Venue is proper as the occurrences which give rise to this action took place within the state. Therefore venue is proper in this court. All conditions precedent to the bringing of this action has been performed. The violation's which gives rise to this action occurred in OKLAHOMA COUNTY and STATE OF OKLAHOMA, and Plaintiff resides in CLEVELAND COUNTY and STATE OF OKLAHOMA.

**III. FACTUAL ALLEGATIONS**

5. Plaintiff on or about June 26<sup>th</sup>, 2018 obtained his three consumer credit reports from the three (3) major credit reporting bureaus Equifax, Transunion, and Experian. Plaintiff at this time noticed and found an inquiry by defendant "NAVIENT CORPORATION" to obtain Plaintiff's consumer credit report on June 26<sup>th</sup>, 2018.
6. Accordingly, the discovery of the violations stated herein occurred on June 26<sup>th</sup>, 2018 and are within the statute of limitations as defined in the FCRA, 15 USC §1681p.

**IV. FIRST CAUSE OF ACTION**

**VIOLATION OF 15USC§1681i FAIR CREDIT REPORTING ACT**

(DEFENDANT)

7. Paragraphs 1-6 are re-alleged as though fully set out herein.
8. Plaintiff(s) are "consumers" within the meaning of the FCRA, 15 USC §1681a(c).
9. Defendants "NAVIENT CORPORATION" are "credit furnishers" within the meaning of the 15 USC§1681a(c). Transunion, Equifax, and Experian are "credit providers" within the meaning of 15 USC §1681(a)(f).

10. Plaintiff's consumer credit report is a consumer report within the meaning of the FCRA, 15 USC §1681(a)(d).
11. The FCRA, 15 USC §1681(b) defines the permissible purpose for which a person may obtain a consumer credit report.
12. Such permissible purposes as defined by 15 USC §1681(b) are generally, if the consumer makes application for credit, makes application for employment, for underwriting of insurance involving the consumer, or is proffered a bona fide offer of credit as a result of the inquiry.
13. Plaintiff has never had any business dealings with the defendant, nor has Plaintiff applied for any credit or services, or employment as defined in 15 USC §1681(b), neither has Plaintiff executed any contracts resulting in an account in favor of the defendant.
14. On June 26<sup>th</sup>, 2018, defendant reported missed payments to Plaintiff's consumer credit report with no "permissible purpose" and appears to be a violation of 15 USC §1681(b).
15. Plaintiff notified Defendant "NAVIENT CORPORATION" of its dispute by mail, and defendant "NAVIENT CORPORATION" also received notice from the three major credit reporting agencies Equifax, Experian, and Transunion.
16. Plaintiff notified defendant of their violations in an attempt to mitigate his damages and obtain settlement prior to bringing this action. Plaintiff received no reply from defendant(s) after servicing notice upon them. Plaintiff sent a second notice as a condition precedent to defendant on August 9<sup>th</sup>, 2018, and still no response was received.
17. At no time did Plaintiff give the defendant permission to obtain his consumer credit report from any credit reporting agency. The actions of the defendant in obtaining the Plaintiff's consumer credit report with no permissible purpose or Plaintiff's consent was a willful violation of 15 USC §1681(b), and an egregious violation of Plaintiff's right to privacy.

18. Defendant had a duty to properly ascertain if there was in fact any legitimate permissible purpose for reporting late payments to Plaintiff's consumer credit report. Defendant however breached said duty by failing to do so. Therefore, Plaintiff may be entitled to damages by operation of law.

**WHEREFORE**, Plaintiff demands judgment for damages against the defendant "NAVIENT CORPORATION" for statutory damages of \$150,000.00, compensatory damages of \$95,000.00, punitive damages for \$2,500,000.00, plus cost and attorney's fees pursuant to 15 USC §1681n.

DATED: OCTOBER 17<sup>th</sup>, 2018

BY:   
CONSUMER, Plaintiff

Aaron Brewer  
12213 HeatnField Ln  
OKC, OK 73173  
405-426-2739

I declare under penalty of perjury under the laws of the United States of America, the foregoing is true and correct.

Executed On October 17<sup>th</sup> 2018 By: Aaron Brewer

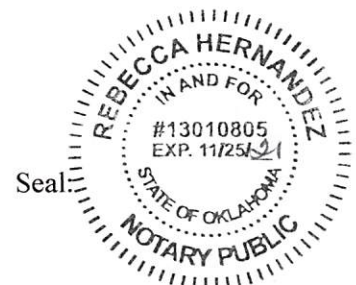
**JURAT**

State of Oklahoma )

County of Oklahoma )

I have hereunto set my hand and seal of office on this, 17 Day of October, 2018.

Notary Public Rebecca Hernandez



October\_\_\_\_, 2018

AARON BREWER  
c/o 12213 HEATHFIELD LN  
Oklahoma City, Oklahoma 73173

TO: NAVIENT CORPORATION  
P.O. BOX 9635  
WILKES-BARRE, PA 18773-9635

**CERTIFICATE OF SERVICE**

I, AARON BREWER, is to certify that I have this day served Registered Agent for NAVIENT CORPORATION, with this **Verified Complaint for Damages:** by REGISTERED MAIL # RE 384 620 579 US delivery thereon to ensure delivery: Dated this 17<sup>th</sup> day of October, 2018.

  
\_\_\_\_\_  
UCC 1-103.6, UCC 1-308, UCC 1-301

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